

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YESSUH SUHYES HUSSEY,

Plaintiff,

-against-

MARIO SALGADO,

Defendant.

23-CV-2905 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff was detained in the Anna M. Kross Center when he filed this action *pro se* in the United States District Court for the Eastern District of New York. On February 16, 2023, Plaintiff submitted a letter providing “emergency address[es] for when [he is] no longer in the custody of the Department of Correction.” (ECF 7 at 1.) The addresses provided include one in Brooklyn, New York, for his father and one in Maryland for his cousin. By orders dated April 6, 2023, the United States District Court for the Eastern District of New York transferred this action and two others to this district.¹

According to public records, Plaintiff is not currently in the custody of the New York City Department of Correction. It is unclear where Plaintiff is able to receive his mail. Plaintiff has the option of consenting to receive electronic service of documents to an email address if he has the capacity to do so. A form for Plaintiff to complete and return to the Court if he wishes to consent to electronic service of documents by email is attached to this order. If Plaintiff does not wish to consent to electronic service of documents, he is directed to notify the Court in writing, within 30 days, of his current mailing address.

¹ The other two suits transferred to this district are *Hussey v. Boyd*, ECF 1:23-CV-02907, 1 (S.D.N.Y.), and *Hussey v. The New York Police Department & Precincts in Manhattan NY*, 1:23-cv-02906, 1 (S.D.N.Y.). Plaintiff indicates in *Boyd*, ECF 1:23-CV-02907, 1, that he resided at one time at Kirby Forensic Psychiatric Center, but he appears to have been released.

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff at the “emergency addresses” in Brooklyn, New York, and Maryland that are listed on the docket. Plaintiff is directed to notify the Court in writing, within 30 days (1) of his current mailing address; or (2) whether he consents to electronic service of documents, which requires him to complete the attached form and return it to the Court. Plaintiff’s response must be submitted to the Pro Se Intake Unit of this Court, and his submission should be labeled with the docket number 23-CV-2905 (LTS).

If Plaintiff does not comply with this order within the time allowed, the Court will dismiss Plaintiff’s complaint without prejudice to his refiling it.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 7, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge